

Senate File 516

S-3375

1 Amend Senate File 516 as follows:

2 1. Page 8, after line 27 by inserting:

3 <Sec. _____. Section 26.16, as enacted by 2017 Iowa Acts,
4 Senate File 438, section 2, is amended to read as follows:

5 **26.16 Prequalification requirements prohibited — exception.**

6 1. A governmental entity shall not by ordinance, rule, or
7 any other action relating to contracts for public improvements
8 for which competitive bids are required by this chapter
9 impose any requirement that directly or indirectly restricts
10 potential bidders to any predetermined class of bidders defined
11 by experience on similar projects, size of company, union
12 membership, or any other criteria. However, a governmental
13 entity shall require nonresident bidders to comply with section
14 73A.21, subsection 4.

15 2. Notwithstanding subsection 1, a governmental entity may
16 require that each bidder for a public improvement for which
17 competitive bids are required by this chapter to file with the
18 governmental entity a statement showing the bidder's financial
19 standing, equipment, and experience in the execution of like
20 or similar work. The statement shall be filed with the agency
21 prior to the letting at which the bidder expects to bid. The
22 governmental entity may, in advance of the letting, notify
23 the bidder as to the amount and the nature of the work for
24 which the bidder is deemed qualified to bid. A bidder who is
25 prequalified under this subsection by the governmental entity
26 shall be deemed qualified for any public improvement by the
27 governmental entity for which competitive bids are required by
28 this chapter and shall submit proof of the prequalification in
29 a manner determined by the governmental entity if required to
30 do so by the governmental entity.>

31 2. By renumbering as necessary.

TONY BISIGNANO

NATE BOULTON